UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,059	12/18/2001	John C. Eidson	10010255	8596

7590 11/01/2007

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

EXAMINER	
PHAN, THANH S	
ART UNIT	**PAPER NUMBER**
2833	

MAIL DATE	DELIVERY MODE
11/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/026,059	EIDSON ET AL.	
	Examiner	Art Unit	
	Thanh S. Phan	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 August 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,4,6,12-15,17,18 and 20-27* is/are pending in the application.

4a) Of the above claim(s) *21-26* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3, 4, 6, 12-15, 17, 18, 20, 27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 6, 12, 13 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mathews et al. [US 6,684,649] in view of Luce et al.

Regarding claim 1. Mathews et al. disclose a circuit [figure 2], comprising an electronic component [104] having an enclosure [140] that protects the electronic component; a structure [152] that surrounds the enclosure. Mathews et al. disclose that the electronic component(s) are semiconductor devices or application-specific integrated circuits [column 8, lines 23-27], but does not explicitly teach that the electronic component controls a frequency used by the circuit. Luce et al. teach a circuit [figure 2] comprises an electronic component [98] controls a frequency used by the circuit [column 3, lines 51-53]. Because both Mathews et al. and Luce et al. teach circuit for use in electronic devices, it would have been obvious to one skill in the art to substitute one electronic component for the other to achieve the predictable result of controlling frequency in a circuit.

Mathews et al. and Luce et al. disclose the claimed invention except for saying that the structure reduces thermal drift/ increase thermal mass. It would have been obvious for the structure disclosed by Mathews et al. and Luce et al. to reduce thermal

drift/increase thermal mass since a larger area for heat dissipation are provided. Further, reduced thermal drift will occur whenever thermal mass increased.

Regarding claim 3. Mathews et al. and Luce et al. disclose the claimed invention. Mathews et al. further disclose wherein the structure comprises a metal case [152; column 6, lines 7-9] around the enclosure.

Regarding claim 6. Mathews et al. and Luce et al. disclose the claimed invention. Mathews et al. further disclose an insulator [154] that encases the structure.

Regarding claims 12 and 13. Mathews et al. and Luce et al. disclose the claimed invention. Luce et al. further disclose wherein the circuit is an oscillator/clock circuit [figure 5].

Regarding claim 27. Mathews et al. and Luce et al. disclose the claimed invention. Luce et al. further comprise a crystal [32] having a vibration frequency/activated [column 3, line 28].

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mathews et al. and Luce et al. as applied to claim 1 above, and further in view of Mullins [US 4,736,069].

Regarding claim 4. Mathews et al. and Luce et al. disclose the claimed invention, but do not teach wherein the structure comprises a ceramic case. Mullins teaches a ceramic cover that provided RF shielding for a substrate [abstract]. Because Mathews et al., as modified, and Mullins teach shielding structures for a circuit/substrate, it would have been obvious to one of skilled in the art to use a ceramic material as the material of the case to minimizes vibration degradation.

Claims 14, 15, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mathews et al. and Luce et al. in view of Kirkpatrick.

Regarding claims 14, 17 and 20, Mathews et al. and Luce et al. as disclosed above; disclosed the instant claimed invention except for the clock circuit including means for communication via a network and means for synchronizing a local time value in a clock circuit in response to a set of messages transferred via by means of the network.

Kirkpatrick discloses a method of synchronizing a plurality of clock nodes [102, 104 and 106] via a network [figure 1].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the network synchronizing design of Kirkpatrick with Mathews et al. and Luce et al.; for the purpose of providing accurate time to each node.

Regarding claim 15, Luce et al. further disclose the use of a crystal component [32].

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mathews et al., as modified, as applied to claim 15 above, and further in view of Mullins.

Regarding claim 18, Mathews et al., as modified, disclose the claimed invention except for wherein the structure comprises a ceramic case. Mullins teaches a ceramic cover that provided RF shielding for a substrate [abstract]. Because Mathews et al., as modified, and Mullins teach shielding structures for a circuit/substrate, it would have been obvious to one of skilled in the art to use a ceramic material as the material of the case to minimizes vibration degradation.

Response to Arguments

Applicant's arguments with respect to claims 1, 3, 4, 6, 12-15, 17, 18 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S. Phan whose telephone number is 571-272-2109. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on 571-272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

tsp

P. Bradley

P. AUSTIN BRADLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800